

SIMMONS JANNACE DELUCA, LLP

ATTORNEYS AT LAW

43 CORPORATE DRIVE

HAUPPAUGE, NEW YORK 11788-2048

(631) 873-4888

FAX (631) 873-4889

Counsel

Kevin P. Simmons

Steven D. Jannace

Sal F. DeLuca^

Allison C. Leibowitz

Michael C. Lamendola*

Ian E. Hannon

Susan B. Jannace
Ross M. Chinitz^

Irina Feferman*

Michael C. Hayes

Amanda M. Hill

Thomas J. Jannace

Matthew C. Maloney

Aric H. Peymann

Scott H. Wertheimer

Nicholas C. Zotto

*Also Admitted NJ

^Also Admitted CT

January 24, 2024

**USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 01/25/2024**

VIA ECF

Honorable Magistrate Judge Katharine H. Parker
United States District Court
Southern District of New York
500 Pearl St., Room 750
New York, New York 10007

Re: Green, Joel v. ESRT 112 West 34 Street, L.P. and Target Corporation,
Case No.: 23-cv-5925-PAE-KHP
Our File No.: 384-10024

Dear Magistrate Judge Parker:

This office represents ESRT 112 West 34th Street, L.P. ("ESRT") and Target Corporation ("Target") in the above-referenced matter. Please allow this correspondence to serve as the defendants' application to adjourn the settlement conference currently scheduled before Your Honor for February 12, 2024, at 10:00 am. Plaintiff's counsel consents to the application as outlined herein.

Defendants respectfully request that the conference be rescheduled as plaintiff has yet to be deposed or advise if he will be having surgery. Plaintiff is scheduled to be deposed on January 30, 2024, which should address these issues. By Order dated November 7, 2023, Judge Engelmayer extended the deadline to complete depositions until March 1, 2024. The current fact discovery deadline is April 3, 2024. Accordingly, the defendants respectfully request the conference be adjourned for 45 days which

January 24, 2024

Page 2

should provide enough time for the case to be evaluated for settlement. There have been no prior adjournment requests.

Thank you for the opportunity to address the Court in this matter.

Very truly yours,

/S/ Sal F. DeLuca
Sal F. DeLuca

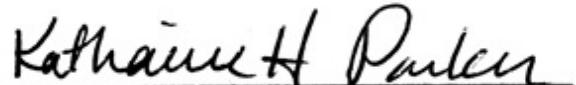
AMH/yb:

cc: VIA ECF

COHEN & COHEN
Attorneys for Plaintiff
104-70 Queen Boulevard, Suite 312
Forrest Hills, New York 11375

APPLICATION GRANTED: The settlement conference in this matter scheduled for Monday, February 12, 2024 at 10:00 a.m. in Courtroom 17-D, United States Courthouse, 500 Pearl Street, New York, New York is hereby rescheduled to Thursday, March 28, 2024 at 10:00 a.m. Parties must attend in-person with their counsel. Corporate parties must send the person with decision making authority to settle the matter to the conference. The parties are instructed to complete the Settlement Conference Summary Report and prepare pre-conference submissions in accordance with the Judge Parker's Individual Rules of Practice. Pre-conference submissions must be received by the Court no later than March 21, 2024 by 5:00 p.m.

APPLICATION GRANTED



Hon. Katharine H. Parker, U.S.M.J.

01/25/2024